

IN THE CLAIMS

1-20. (Withdrawn).

21. (Currently amended) A method for providing at least one offers of an item, the item including at least one of a good, and a service, utilizing an electronic communications device, enabling communication between an offeror and a user of the electronic communications device, comprising the steps of:

establishing communication via the electronic communications device between the offeror and the user to enable the user at least to initiate a primary transaction therebetween,

obtaining primary transaction data related to the primary transaction, the primary transaction data including at least data representing an identity of the user and data representing a receiving geographical information regarding the geographic position of the user,

utilizing ~~determining~~ the identity of the user to obtain at least a further data element related to the user,

utilizing at least in part the geographic position of the user, the at least further data element, and the identity of the user to determine ~~an~~ the at least one offer for a good, service or information the item in real time with the primary transaction, and

offering the item to the user.

22. (Original) The method of claim 21 wherein the electronic communication device is a wireless device.

23. (Original) The method of claim 22 wherein the wireless device is a wireless phone.

24. (Currently amended) ~~The method of claim 21 wherein the geographic position information is determined by global positioning satellite (GPS).~~ A method for providing at least one offer of at least one item, the item including at least one of a good, a service or information, utilizing an electronic communications device enabling communication between an offeror and a user of the electronic communications device, comprising the steps of:

establishing communication via the electronic communications device between the offeror and the user to enable the user at least to initiate a primary transaction therebetween,

5 obtaining primary transaction data related to the primary transaction, the primary transaction data including at least data representing an identity of the user and data representing a geographic position of the user as indicated by a global positioning system,

utilizing the identity of the user to obtain at least a further data element related to the user,

10 utilizing at least in part the geographic position of the user, the at least further data element, and the identity of the user to determine the at least one item to offer to the user in real time with the primary transaction, and

offering the at least one item to the user.

[25-33 (withdrawn).]

15 34. (Currently amended) The method of claim 21 ~~24~~ wherein the data representing the geographic position information of the user is utilized to obtain information regarding an attribute of the geographic position.

35. (Original) The method of claim 34 wherein the attribute information is utilized in determining the offer.

20 36. (Original) The method of claim 21 wherein the offer comprises a coupon.

37. (Currently amended) The method of claim 21 ~~24~~, wherein the offer expires after a specified interval of time is time limited.

38. (Currently amended) The method of claim 37 ~~24~~, wherein the offer expires at a specified certain time.

25 39. (Currently amended) The method of claim 21, further comprising wherein the offeror system ~~contacting the user via the electronic communications device to offer the at least one item to the user.~~

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40. (Currently amended) The method of claim 21 wherein the determination of ~~an~~ the at least one offer is subject to negative decision criteria.

41. (Withdrawn).

42. (Original) The method of claim 21 wherein the offer is made orally to the user.

5 43. (Original) The method of claim 21 wherein the offer is made visually to the user.

44. (New) The method of claim 21, wherein obtaining primary transaction data includes obtaining a geographic identifier representing the geographic position of the user.

45. (New) The method of claim 44, wherein obtaining the geographic identifier includes obtaining data from a carrier associated with the electronic communications device.

10 46. (New) The method of claim 44, wherein obtaining the geographic identifier includes obtaining data from a network associated with the electronic communications device.

47. (New) The method of claim 44, wherein obtaining the geographic identifier includes obtaining ANI data from a carrier associated with the electronic device.

15 48. (New) The method of claim 44, wherein obtaining the geographic identifier includes obtaining the geographic identifier directly from the user.

49. (New) The method of claim 44, wherein obtaining the geographical identifier includes entering the geographic identifier by an operator.

50. (New) The method of claim 21, wherein offering the at least one item includes offering at least one item related to an entity that is geographically local to the user.

20 51. (New) The method of claim 24, further comprising combining a time parameter associated with the primary transaction with the data representing the geographic position of the user to determine the at least one item to offer to the user.

52. (New) The method of claim 24, wherein offering the at least one item includes offering at least one item selected based on a code entered by the user.

25 53. (New) The method of claim 52, wherein offering at least one item selected based on a code includes processing a code viewed by the user before initiating the primary transaction.

54. (New) The method of claim 24, wherein offering the at least one item includes offering at least one item selected by analyzing whether the item to be offered to the user is competitive with at least one further item involved in the primary transaction.

55. (New) The method of claim 24, wherein offering the at least one item includes offering at least one item selected by analyzing whether a vendor associated with the item to be offered to the user is competitive with at least one further vendor associated with the primary transaction.

56. (New) The method of claim 24, wherein offering the at least one item includes offering at least one item selected by analyzing a cost associated with offering the item to the user as compared to an expected return associated with offering the item.

57. (New) The method of claim 24, wherein offering the at least one item includes analyzing a probability that the user would accept the item if the item were offered to the user.

58. (New) The method of claim 24, wherein offering the at least one item includes analyzing a telecommunications-related cost associated with communicating with the user.

59. (New) The method of claim 24, wherein offering the at least one item includes analyzing a fee payable to a vendor associated with the primary transaction.

60. (New) The method of claim 24, wherein offering the at least one item includes weighting the expected return associated with offering the item with a probability that the user would accept the item if the item were offered to the user.

61. (New) The method of claim 24, wherein offering the at least one item includes comparing the data representing the identity of the user to a pre-existing list of users.

62. (New) The method of claim 24, wherein establishing communication includes using a vehicle-based communications system in conjunction with the global positioning system.

63. (New) The method of claim 24, wherein establishing communication includes obtaining data representing at least one circumstance under which the communication is established.

64. (New) The method of claim 63, wherein establishing communication includes obtaining data representing at least one circumstance that suggests that the vehicle has been involved in an accident.

65. (New) The method of claim 24, wherein establishing communication includes obtaining data representing at least one circumstance that suggests that a specific transaction may be of interest to the user.

66. (New) The method of claim 24, wherein establishing communication includes obtaining data suggesting that lodging accommodations may be of interest to the user.

67. (New) The method of claim 24, wherein offering the at least one item includes tailoring the specific transaction to the user based at least upon the identity of the user and the at least further data element.

68. (New) A method for providing at least one offer of an item, the item including at least one of a good and a service, utilizing an electronic communications device enabling communication between an offeror and a user of the electronic communications device, comprising at least the following:

establishing communication via the electronic communications device between the offeror and the user to enable the user at least to initiate a primary transaction therebetween relating to at least one of a specific good and a specific service,

obtaining primary transaction data related to the primary transaction, the primary transaction data including at least data representing an identity of at least one of the specific good and the specific service and data representing a geographic position of the user,

obtaining at least a further data element related to the user,

utilizing at least in part the geographic position of the user and the at least further data element to determine the at least one offer for the item in real time with the primary transaction, and

offering the item to the user.

69. (New) The method of claim 68, wherein obtaining primary transaction data includes obtaining data representing an identity of the user.

70. (New) The method of claim 68, wherein obtaining at least a further data element include obtaining the further data element based at least in part on data representing an identity of the user.

71. (New) The method of claim 68, at least in part to determine the at least one offer
5 utilizing the data representing the identity of the user.

72. (New) A method for providing at least one offer of an item, the item including at least one of a good and a service, utilizing an electronic communications device enabling communication between an offeror and a user of the electronic communications device, comprising at least the following:

10 establishing communication via the electronic communications device between the offeror and the user to enable the user at least to initiate a primary transaction therebetween relating to at least one of a specific good and a specific service,

15 obtaining primary transaction data related to the primary transaction, the primary transaction data including at least data representing an identity of at least one of the specific good and the specific service and data representing a geographic position of the user as indicated by a global positioning system,

obtaining at least a further data element related to the user,
utilizing at least in part the geographic position of the user and the at least
20 further data element to determine the at least one offer for the item in real time with the primary transaction, and

offering the item to the user.

73. (New) The method of claim 72, wherein obtaining primary transaction data includes obtaining data representing an identity of the user.

25 74. (New) The method of claim 72, wherein obtaining at least a further data element include obtaining the further data element based at least in part on data representing an identity of the user.

75. (New) The method of claim 68, at least in part to determine the at least one offer utilizing the data representing the identity of the user.

76. (New) A method for providing offers of an item including a good or a service, utilizing a wireless electronic communications device, enabling communication between an offeror system and a user of the wireless electronic communications device, comprising the steps of:

5 establishing electronic communication between the wireless electronic communications device and the offer or system,

electronically transmitting identification data in the direction from the user to the offer or system, the identification data including geographic identifier data of the user,

10 determining the identity of the user,

utilizing at least in part the geographic identifier data of the user and the identity of the user to determine an offer for a good or service, and

offering the item to the user from the offer or system to the user's wireless electronic device.

15 77. (New) The method of claim 76 wherein the wireless electronic communications device is a wireless phone.

78. (New) The method of claim 76 wherein the wireless electronic communications device is a cellular device.

20 79. (New) The method of claim 76 wherein the wireless electronic communications device is a satellite device.

80. (New) The method of claim 76 wherein the wireless electronic communications device is a touch-tone phone.

81. (New) The method of claim 76 wherein the wireless electronic communications device includes a display.

25 82. (New) The method of claim 76 wherein the wireless electronic communications device is a digital electronic communications device.

83. (New) The method of claim 76 wherein the geographic identifier data is utilized to obtain information regarding an attribute of a geographic position of the user.

84. (New) The method of claim 83 wherein the attribute information is utilized in determining the offer.

85. (New) The method of claim 76 wherein at least one of the offers comprises a coupon.

5 86. (New) The method of claim 76 wherein at least one of the offers expires after specified interval of time.

87. (New) The method of claim 76 wherein at least one of the offers expires at a certain time.

10 88. (New) The method of claim 76 wherein the offeror system contacts the user via the electronic communications device.

89. (New) The method of claim 76 wherein at least one of the offers is made orally to the user.

90. (New) The method of claim 76 wherein at least one of the offers is a visual offer made visually to the user.

15 91. (New) The method of claim 90 wherein the visual offer is static.

92. (New) The method of claim 90 wherein the visual offer is dynamic.

93. (New) The method of claim 90 wherein the visual offer includes a virtual reality display.

20 94. (New) The method of claim 76 wherein the user initiates a primary transaction with the offeror system.

95. (New) The method of claim 76 wherein data relating to the primary transaction is utilized in determining the offer for the user.

96. (New) The method of claim 76 wherein the good or service constituting the primary transaction is utilized in determining the offer for the user.

25 97. (New) The method of claim 76 wherein the purpose for the primary transaction is utilized in determining the offer for the user.

98. (New) The method of claim 76 wherein the primary transaction is identified by answers to questions from the system.

99. (New) The method of claim 76 wherein a time parameter is utilized as a factor in determining the good or service to be offered.

5 100. (New) The method of claim 99 wherein the time parameter is the time of day.

101. (New) The method of claim 99 wherein the time parameter is the day of the week.

102. (New) The method of claim 99 wherein the time parameter is the day of the month.

10 103. (New) The method of claim 76 wherein a factor in determining the good or service to be offered is proximity to a calendar event.

104. (New) The method of claim 103 wherein the calendar event is user defined.

105. (New) The method of claim 76 wherein a factor in determining the good or service to be offered is the purpose of the contact.

15 106. (New) The method of claim 76 wherein the identification data is used to retrieve additional data which is utilized in the determination of the good or service to offer.

107. (New) The method of claim 76 wherein at least one of the offers is made to the user in real time.

20 108. (New) The method of claim 76 wherein the geographic identifier data of the user is provided automatically.

109. (New) The method of claim 76 wherein the geographic identifier data is provided by the carrier associated with the electronic communications device.

110. (New) The method of claim 76 wherein the geographic identifier data is entered by the user.

25 111. (New) The method of claim 76, wherein electronically transmitting identification data includes communicating with a global positioning system.

112. (New) The method of claim 76 further comprising the user registering to use the offeror system.

113. (New) The method of claim 76 further comprising the user registering with the offeror system prior to use.

5 114. (New) The method of claim 112 wherein the user registering includes the user inputting information.

115. (New) The method of claim 76 wherein the user inputs information in response to at least one question.

10 116. (New) The method of claim 76 wherein the quality of the good or service is at least one factor in determining the good or service to be offered.

117. (New) The method of claim 76 wherein electronically transmitting identification data includes transmitting user specific data.

118. (New) The method of claim 117 wherein the user specific data includes the user's social security number.

15 119. (New) The method of claim 117 wherein the user specific data includes the user's electronic address.

120. (New) The method of claim 119 wherein the user's electronic address includes an electronic mail (e-mail) address.

20 121. (New) The method of claim 119 wherein the user's electronic address includes an internet service provider identification.

122. (New) The method of claim 117 wherein the user specific data includes the user's customer number.

123. (New) The method of claim 117 wherein the user specific data includes the user's electronic signature.

25 124. (New) The method of claim 117 wherein the user specific data includes the user's billing data.

125. (New) The method of claim 124 wherein the user's billing data includes a credit card number.

126. (New) The method of claim 124 wherein the user's billing data includes a debit card number.

5 127. (New) The method of claim 117 wherein the user specific data includes the user's PIN.

128. (New) The method of claim 76 wherein the identification data unit receives user local identification data.

10 129. (New) The method of claim 128 wherein the user local identification data is a user's telephone number.

130. (New) The method of claim 129 wherein the telephone number is obtained by ANI.

131. (New) The method of claim 76 further comprising identifying a residence associated with the user residence.

15 132. (New) The method of claim 76 further comprising obtaining multiple forms of user identification.

133. (New) The method of claim 76 further comprising verifying the user's identity.

134. (New) The method of claim 76 wherein the wireless electronic communications device is a telephonic communication device.

20 135. (New) The method of claim 134 wherein the telephonic communication device is a touch tone phone.

136. (New) The method of claim 134 wherein the telephonic communication device is a videophone.

25 137. (New) The method of claim 76 wherein the wireless electronic communications device communicates through an electronic communication network.

138. (New) The method of claim 137 wherein the electronic communications network is the internet.

139. (New) The method of claim 137 wherein the electronic communications network is a telephone network.

140. (New) The method of claim 76 wherein the offeror system is a telemarketing system.

5 141. (New) The method of claim 76 wherein the offeror system is a web based system.

142. (New) The method of claim 76, further comprising obtaining at least a second data element.

143. (New) The method of claim 142 wherein the second data element includes demographic information.

10 144. (New) The method of claim 143 wherein the demographic information includes an indication of the user's age.

145. (New) The method of claim 143 wherein the demographic information includes an indication of the user's sex.

15 146. (New) The method of claim 143 wherein the demographic information includes an indication of the user's income.

147. (New) The method of claim 143 wherein the demographic information includes an indication of the user's occupation.

148. (New) The method of claim 143 wherein the demographic information includes an indication of the user's education level.

20 149. (New) The method of claim 143 wherein the demographic information includes an indication of the user's family status.

150. (New) The method of claim 143 wherein the demographic information includes an indication of the user's lifestyle.

25 151. (New) The method of claim 143 wherein the demographic information includes an indication of the user's interests.

152. (New) The method of claim 143 wherein the demographic information includes a coded indication for the user.

153. (New) The method of claim 142 wherein the second data element includes credit data.

154. (New) The method of claim 153 wherein the credit data includes credit data for both a primary transaction and a prospective up sell transaction, and wherein the credit data for the prospective up sell transaction is obtained while obtaining the credit data for the primary transaction.

155. (New) The method of claim 76, further comprising obtaining inventory data.

156. (New) The method of claim 76, further comprising obtaining possession data.

157. (New) The method of claim 156 wherein at least certain of the possession data includes set data.

158. (New) The method of claim 157 wherein at least some of the set data includes data relating to household items.

159. (New) The method of claim 142 wherein at least certain of the second data element is obtained from a local database.

160. (New) The method of claim 159 wherein the local database provides raw data.

161. (New) The method of claim 159 wherein the local database provides analyzed data.

162. (New) The method of claim 142 wherein at least certain of the second data element is obtained from a remote database.

163. (New) The method of claim 162 wherein the remote database provides raw data.

164. (New) The method of claim 162 wherein the remote database provides analyzed data.

165. (New) The method of claim 142 wherein at least certain of the second data element is obtained from a calendar.

166. (New) The method of claim 142 wherein at least certain of the second data element is obtained from a clock.

167. (New) The method of claim 94, further comprising correlating at least certain of the primary transaction data with other identification data.

168. (New) The method of claim 94, further comprising correlating at least certain of the primary transaction data with at least one designator for database accessing.

5 169. (New) The method of claim 76, further comprising applying at least one negative rule to select the offer for the good or service for a prospective up sell to the user.

170. (New) The method of claim 169 wherein applying the at least one negative rule includes not offering for up sell an item determined to already be possessed by the user.

10 171. (New) The method of claim 169 wherein applying the at least one negative rule includes not offering an item determined to have been previously purchased by the user.

172. (New) The method of claim 169 wherein applying the at least one negative rule includes not offering an item determined to have been previously offered to the user, but declined.

15 173. (New) The method of claim 76, further comprising determining the at least one good or service in automatic response to occurrence of a primary transaction.

174. (New) The method of claim 94 wherein a transaction type of the primary transaction is different from a transaction type of a proposed up sell transaction.

175. (New) The method of claim 94 wherein the primary transaction is a sales transaction and a proposed up sell is a service transaction.

20 176. (New) The method of claim 94 wherein the primary transaction is a sales transaction and a proposed up sell is a sales transaction.

177. (New) The method of claim 76, further comprising generating a plurality of respective good or service items for offer as prospective up sell transactions to the user.

25 178. (New) The method of claim 177 wherein the plurality of good or service items is presented for selective presentation to the user.

179. (New) The method of claim 178 wherein a selection as to presentation is made by the offeror system.

180. (New) The method of claim 178 wherein selection as to presentation is made by the user.

181. (New) The method of claim 94 wherein the primary transaction is consummated.

5 182. (New) The method of claim 76 wherein a prospective up sell transaction is consummated.

183. (New) The method of claim 94 wherein a prospective the up sell transaction supplants the primary transaction.

184. (New) The method of claim 94 where both the primary transaction and a prospective up sell transaction are consummated.

10 185. (New) The method of claim 94 where at least one of the primary transaction and a prospective up sell transaction are consummated.

186. (New) The method of claim 94 wherein the transaction is consummated with a single website.

15 187. (New) The method of claim 76 further comprising sending a confirmation of at least one offer accepted by the user.

188. (New) The method of claim 76 further comprising shipping goods corresponding to at least one offer accepted by the user.

189. (New) The method of claim 76 further comprising providing tracking information related to at least one offer accepted by the user.

20 190. (New) The method of claim 76 further comprising at least initiating billing for at least one item associated with at least one offer accepted by the user.

191. (New) The method of claim 76 further comprising updating inventory data corresponding to at least one item associated with at least one offer accepted by the user.

25 192. (New) The method of claim 76 further comprising using data relating to an accepted upsell transaction in determination of future upsell transactions.

193. (New) The method of claim 76 wherein offering the item to the user includes the user interacting with a live operator.

194. (New) A method for providing offers of an item including a good or a service, utilizing an electronic communications device, enabling communication between an offeror system and a user of the electronic communications device, comprising the steps of:

5 establishing electronic communication between the electronic communications device and the system,

electronically transmitting identification data in the direction from the user to the system, the identification data including geographic identifier data of the user,

10 electronically transmitting data from the user to the system indicating the good or service desired,

utilizing at least in part the geographic identifier data of the user and the identity of the good or service desired to determine an offer for a good or service, and

15 offering the item to the user from the system to the user's electronic device.

195. (New) A method for providing offers of an item including a good or a service, utilizing an electronic communications device, enabling communication between an offeror system and a user of the electronic communications device, comprising the steps of:

20 establishing electronic communication between the electronic communications device and the system,

electronically transmitting identification data in the direction from the user to the system, the identification data including geographic identifier data of the user,

obtaining the time,

25 utilizing at least in part the geographic identifier data of the user and the time to determine an offer for a good or service, and

offering the item to the user from the system to the user's electronic device.

196. (New) A method for providing offers of an item including a good or a service, utilizing an electronic communications device, enabling communication between an offeror system and a user of the electronic communications device, comprising the steps of:

5 establishing electronic communication between the electronic communications device and the system,

electronically transmitting identification data in the direction from the user to the system, the identification data including geographic identifier data of the user,

obtaining user identification data,

10 utilizing at least in part the geographic identifier data of the user and the user identification data to determine an offer for a good or service, and

offering the item to the user from the system to the user's electronic device.

197. (New) A method for providing offers of an item including a good or a service, 15 utilizing an electronic communications device, enabling communication between an offeror system and a user of the electronic communications device, comprising the steps of:

establishing electronic communication between the electronic communications device and the system,

20 electronically transmitting identification data in the direction from the user to the system, the identification data including geographic identifier data of the user,

utilizing at least in part the geographic identifier data of the user to determine an offer for a good or service, and

25 offering the item to the user from the system to the user's electronic device.